

MARLBORO COUNTY COUNCIL
MARLBORO COUNTY CONFERENCE ROOM

THURSDAY, JULY 13, 2006

6 PM

CHAIRMAN:	MARION WRIGHT
VICE CHAIR:	JEAN WALLACE MCLEAN
INTERIM ADMINISTRATORS:	MILES HADLEY CARY MCSWAIN
COUNTY ATTORNEY:	DONNIE MCDONALD
COUNCIL:	
JEAN MCLEAN, MICKEY ROGERS, DR. CAROLYN PRINCE, EDMOND BLUE, AND	JEFF QUICK, CORRIE H. PLATO, KEN ALLEN, MARION WRIGHT

* ABSENT

INVOCATION - Reverend Charles Malloy

Judge Edward Cottingham – was recognized by Mr. Marion Wright, Chairman and asked if he would like to address Council. Judge Cottingham stated that he was at the Council Meeting on behalf of Chief Deputy Charles Lemon, Sheriff Fred Knight, himself, and the Courthouse Security Committee. Judge Cottingham stated his sole purpose of attending the Council meeting was to thank Council for their interest and concerns for Courtroom Security, they are very appreciative. He advised it is his understanding that the Sheriff feels sure that using the appropriation given by Council (\$150,000) he can hire two (2) full time officers that can provide Courtroom Security when needed, as well as provide additional duties when Court is not in session. Judge Cottingham advised a letter was written by the Courthouse Security Committee agreeing to these terms which was forwarded to the County Administrator. In the absence of Sheriff Knight, who was out of town, Chief Lemon was available to answer any questions. Chief Lemon stated that he and Sheriff Knight were appreciative for what Council has done. He advised that both deputies should be hired and ready within a one month time frame. During this time he along with another deputy would continue to handle Courtroom security.

APPROVAL OF MINUTES – MAY 31, 2006

Motion made by Ms. Jean McLean, seconded by Mr. Jeff Quick to approve the Minutes of May 31, 2006. Vote in Favor. Unanimous. Motion Carried.

Mr. Cary McSwain advised Council the minutes of June 15, 2006 and June 22, 2006 would be forthcoming. He explained the Clerk to Council had to make all changes recommended and approved by Council for the budget to complete the budget report.

OLD BUSINESS

ORDINANCE # 609 – AN ORDINANCE TO ESTABLISH THE MARLBORO COUNTY WATER AND SEWER COMMISSION – THIRD READING

Motion made by Mr. Ken Allen, seconded by Ms. Mickey Rogers to approve the third reading of Ordinance # 609 – An Ordinance to establish the Marlboro County Water and Sewer Commission. Vote in favor. Unanimous. Motion Carried.

ORDINANCE # 610 – AN ORDINANCE TO AMEND ORDINANCE # 586 ESTABLISHING THE MARLBORO COUNTY PARKS AND RECREATION COMMISSION AND, INCLUDING BUT NOT LIMITED TO CLARIFICATION OF THE AUTHORITY AND DUTIES OF THE COMMISSION, AND TO RENAME THE COMMISSION – THIRD READING

Motion made by Mr. Jeff Quick, seconded by Dr. Carolyn Prince approving the third reading of Ordinance # 610 – An Ordinance to amend Ordinance # 586 establishing the Marlboro County Parks and Recreation Commission and, including but not limited to clarification of the authority and duties of the Commission, and to rename the Commission. Vote in favor. Unanimous. Motion Carried.

NEW BUSINESS

ORDINANCE # 612 – AN ORDINANCE TO ADOPT AND IMPLEMENT VALUES FOR PROPERTY TAXATION PURPOSES ESTABLISHED BY THE COUNTY ASSESSOR AND THE SOUTH CAROLINA DEPARTMENT OF REVENUE BASED UPON DECEMBER 31, 2005 VALUATION DATE FOR PROPERTY TAX YEAR 2006 – FIRST READING

Motion made by Ms. Jean McLean, seconded by Dr. Carolyn Prince to approve the first reading of Ordinance # 612 – An Ordinance to adopt and implement values for property taxation purposes established by the County Assessor and the South Carolina Department of Revenue based upon December 31, 2005 valuation date for property tax year 2006. Vote in favor. Unanimous. Motion Carried.

RESOLUTION # 07-06-01– A RESOLUTION APPROVING A PARTIAL ASSIGNMENT OF EXISTING FEE-IN-LIEU OF TAXES ARRANGEMENTS BY WEYERHAESER COMPANY

Mr. Marion Wright, Chairman introduced Mr. Kelly Shotbolt, President of Flakeboard and Mr. Jake Elston. Mr. Shotbolt addressed Council advising the Marlboro County plant would be the flagship facility for them. Also present were Mr. Dale Fuentz, Plant Manager, and Mr. Jeremy Cook, Attorney for Haynsworth, Sinkler & Boyd. Mr. Shotbolt stated he looked forward to working with Marlboro County in the future. Mr. Dale Fuentz advised they like to focus on youth groups and would like to get involved with the youth in the County.

Mr. Donnie McDonald, County Attorney advised there are a few issues with the Fee & Lieu for Weyerhaeuser. He is continuing to work on these issues with DOR, they will be resolved before the contracts are finalized.

Motion made by Mr. Ken Allen, seconded by Mr. Jeff Quick to approve Resolution # 07-06-01 – A Resolution approving a partial assignment of existing Fee-In-Lieu of taxes arrangements by Weyerhaeuser Company. Vote in favor: Mr. Edmond Blue, Ms. Mickey Rogers, Mr. Jeff Quick, Mr. Ken Allen, Ms. Jean McLean, Ms. Corrie Plato, and Mr. Marion Wright. Abstain: Dr. Carolyn Prince. Motion Carried.

ORDINANCE # 613 – AN ORDINANCE TO ADOPT THE AMBULANCE FRANCHISE ORDINANCE FOR THE COUNTY OF MARLBORO, SOUTH CAROLINA – FIRST READING

Mr. Cary McSwain, Interim County Administrator projected the revenues which could be generated by this Franchise to be approximately \$100,000.00. He advised the Franchise would be basically for non-emergency situations where ambulance services transport patients for various reasons. He advised he and Mr. Donnie McDonald, County Attorney will work on the proposed Ordinance before the second reading.

Motion made by Ms. Jean McLean, seconded by Mr. Jeff Quick to approve the first reading of Ordinance # 613 – An Ordinance to adopt the Ambulance Franchise Ordinance for the County of Marlboro, South Carolina. Vote in favor: Mr. Edmond Blue, Ms. Mickey Rogers, Mr. Jeff Quick, Mr. Ken Allen, Ms. Jean McLean, Ms. Corrie Plato, and Mr. Marion Wright. Abstain: Dr. Carolyn Prince. Motion Carried.

APPOINTMENTS TO BOARDS AND COMMISSIONS

Motion made by Mr. Edmond Blue to replace Ms. Kathy Gardner on the Marlboro County Parks and Recreation Board with Ms. Julia Calhoun. Vote in favor. Unanimous. Motion carried.

Dr. Carolyn Prince suggested that a letter be sent to the Board Members and ask if they would like to continue serving on the Board. All Council Members were in agreement.

REPORTS

COMMITTEE REPORTS

Mr. Jeff Quick, Recreation Committee – advised the Recreation Department had District Playoffs and were well represented.

Mr. Marion Wright, Proposed Library Project – stated there should be another meeting set up within the next few weeks for the final design. Everything is progressing smoothly.

PRESENTATIONS

Mr. Samuel Bass, Chesterfield/Marlboro EOC - addressed Council. Mr. Bass advised he wanted to introduce himself to Council as the Executive Director over the Chesterfield/Marlboro area. He thanked Council for the approval of their budget request. Mr. Bass also offered any assistance that may be needed and requested that any complaints concerning the Marlboro County Office be forwarded to him.

ADMINISTRATIVE/FINANCIAL REPORT – CARY MCSWAIN, INTERIM COUNTY ADMINISTRATOR

Three Departments were over budget for expenditures: County Attorney (Law Suit), Voters Registration (Extra Election) – funds are forth coming from school district, and Public Building (Utilities were raised by the City after the budget had been adopted last fiscal year). The unencumbered balance for the 2005-2006 to-date is \$579,639.47. Revenues were better than expected as of June 30th with a significant amount of the Fund Balance left.

Reverend Charles Malloy has notified the Administrator that the Department of Commerce has issued a letter to proceed with upgrading of the Plaza Building approved by the Rural Infrastructure Grant. Marlboro County had agreed to convey the Building over to the CDC as part of the grant match. Reverend Malloy has requested Council to proceed with the transfer. Reverend Malloy has also requested assistance with the grant in contracting the purchase of service goods consistent with the statutory requirements.

The Railroad Line Expansion for Mohawk has been completed. Mr. McSwain suggested an official opening ceremony with a gold spike and ribbon cutting. The Chair will set this up and the other Council Members will be notified.

The Lindsay Park recently held an award ceremony where chicken bog and hot dogs were served. The two ball fields being constructed through PARD grant funds are almost complete. The dug outs still need to be constructed – may be next year before they can be used because of the turfs. County staff has been working on the restrooms and concession stands.

Deputy Robert Johnson's house was burned – any donations are being accepted at the Sheriffs Department – all donations would be appreciated.

Mr. McSwain advised an Ordinance for the Rural Infrastructure Grant for CDC would require three (3) readings and a Public Hearing – would need to be added to the Agenda by Title only.

ITEMS ADDED TO AGENDA

Motion made by Dr. Carolyn Prince, seconded by Ms. Corrie Plato to add an item to the agenda as item D. Vote in favor. Unanimous. Motion Carried.

ORDINANCE # 614 – AN ORDINANCE FOR CONVEYANCE OF THE PLAZA BUILDING TO THE COMMUNITY DEVELOPMENT CORPORATION OF MARLBORO COUNTY. – FIRST READING (TITLE ONLY)

Motion made by Dr. Carolyn Prince, seconded by Mr. Jeff Quick to approve the first reading of Ordinance # 614 (Title Only) for conveyance of the Plaza Building to the Community Development Corporation of Marlboro County. Vote in favor. Unanimous. Motion Carried.

Reverend Charles Malloy requested permission from Council to put out bids for the roof. Mr. Cary McSwain, Interim Administrator advised that Reverend Malloy would need to get an Architect to create the specifications, and then put out the bids. Council was agreeable.

Reverend Charles Malloy advised he chairs the Community Relations Board for the Federal Prison – they will be willing to help build fields for sports for the youth for free. He would be willing to help set these projects up. Council suggested he meet with the Administrator and Council Member Jeff Quick to discuss further.

RECOGNITION OF CITIZENS' REQUEST TO SPEAK

Mr. Keith Cheek, Owner K & J Trophy Shop – addressed Council with his concerns of why Marlboro County Vendors have to bid against out of county/out of state vendors. Mr. Cary McSwain explained the bidding process and that local bidders are given a five percent (5%) preferential treatment. He advised Council is required to award to the lowest bidder that meets all specifications. Mr. Cheek wanted to know why business was taken out of the County without bids. When Mr. Cheek started referring to the Parks & Recreation Director, Mr. McSwain addressed the Chair advising the conversation had turned into a personnel issue in which needed to be discussed with him outside of the Council meeting. He advised he would bring anything he deems necessary to Council, but, that he would handle the situation since the Parks and Recreation Director works for the Administrator. Mr. Marion Wright, Chairman advised Mr. Cheek to make the appointment with the Interim Administrator and address his concerns.

RECOGNITION OF COUNCIL MEMBERS

Mr. Ken Allen thanked Chief Deputy Lemon and Judge Cottingham for their appearance at the Council Meeting. Mr. Allen wanted to clarify that he was agreeable with the way the

Courthouse Security Committee wished to use the One Hundred Fifty Thousand Dollars (\$150,000) which was designated for Courthouse security in the budget. He felt a consensus was necessary so as not to have to address the issue again.

Motion made by Mr. Ken Allen, seconded by Ms. Mickey Rogers approving the terms of the Courthouse Security Committee for usage of the One Hundred Fifty Thousand Dollars (\$150,000) designated for Courthouse Security. Vote in favor. Unanimous. Motion Carried.

Dr. Carolyn Prince advised she was glad the Committee saw fit to do this.

Mr. Jeff Quick advised that he along with Ms. Mickey Rogers and Ms. Jean McLean met with DNR to discuss the grass cutting at Lake Paul Wallace. He has been contacted concerning the property on the corner of Beauty Spot and Wallace Road which is overgrown. He advised the County cut this one time previously for the citizens, however, this is not the responsibility of the County – the State is responsible for this property. Mr. Cary McSwain advised he would contact Mr. Joy Linder.

Ms. Mickey Rogers advised the Humane Animal Society is still a valid non profit charitable organization which is reforming. She stated they needed to appoint officers and secure property. She requested permission of the other Council Members to discuss with Mr. Sidney Wallace, Public Works Director to possibly work out combining the Animal Shelter and Humane Society. All Council Members were agreeable. Mr. Cary McSwain, Interim Administrator advised it would be addressed.

Ms. Corrie Plato advised Citizens on Green Lane have made a request to have their road paved. She wanted to know what needed to be done. Mr. McSwain advised he would discuss it with Mr. Sidney Wallace, Public Works Director. He would also find out when the next meeting for Mr. Ronnie Crow, Marlboro County Highway Commission is to be held.

Ms. Jean McLean advised the Solicitor's Camp Turning Point would begin the week of July 24th. There would be a program, graduation, and a meal on the 28th beginning at 5 PM. Senator Moore will be in attendance.

Ms. McLean stated she had received a call from Mr. Ricky Huckabee asking about the car Chuck Black had been driving. He did not know what to do concerning turning the vehicle in – the Chief had advised him not to. He said they were under the assumption they could do what they wanted to do with it. Mr. McSwain advised he would get the situation cleared up. The car would be needed for the official Fire Marshal when hired by the County.

Motion made by Mr. Jeff Quick, seconded by Mr. Ken Allen to enter into Executive Session to discuss both a Personnel and Contractual Issue. Vote in favor. Unanimous. Motion Carried.

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Motion made by Ms. Jean McLean, seconded by Mr. Ken Allen to re-enter regular session. Vote in favor. Unanimous. Motion Carried.

Mr. Marion Wright, Chairman advised no decisions had been made and no votes had been taken in the Executive Session.

ADDING ITEM TO AGENDA

Mr. Cary McSwain, Interim Administrator advised a request for a Resolution is needed to approve the purchase of property adjacent to the proposed library site. The property front is on Parsonage Street at a price of \$23,000 plus cost.

Motion made by Mr. Jeff Quick, seconded by Ms. Jean McLean to add an item to the agenda as item E – Resolution 07-06-02. Vote in Favor. Unanimous. Motion Carried.

Motion made by Mr. Ken Allen, seconded by Dr. Carolyn Prince to approve Resolution # 07-06-02 – A Resolution for approval of the purchase of land on Parsonage Street priced at \$23,000 plus cost. Vote in Favor. Unanimous. Motion Carried.

ADJOURNMENT

The meeting was adjourned with no further discussion.

Minutes were adopted August 10, 2006

Susan E. Rivers, Clerk to Council